

## Senate Joint Resolution No. 19

### RESOLUTION CHAPTER 107

Senate Joint Resolution No. 19—Relative to railroad grade crossings.

[Filed with Secretary of State September 7, 2001.]

#### LEGISLATIVE COUNSEL'S DIGEST

SJR 19, Ackerman. Railroad grade crossings: quiet zones.

This measure would memorialize the Federal Railroad Administration to adopt, as soon as possible, regulations relating to the establishment of quiet zones at railroad grade crossings in accordance with a specified federal law and the Congress to approve legislation that provides funding to the states for the implementation of supplemental safety measures for the purposes of establishing those quiet zones.

WHEREAS, The Federal Railroad Administration is proposing regulations to carry out Section 20153 of Title 49 of the United States Code that, in general, require a locomotive horn to be sounded when a train is approaching and entering a public highway-rail grade crossing; and

WHEREAS, The adoption of those federal regulations will enable appropriate public entities to submit waiver petitions to the Federal Railroad Administration for the purpose of establishing quiet zones, within which locomotive horns may not be sounded, at eligible railroad grade crossings, together with proposals for the implementation of safety measures that adequately substitute for the sounding of the locomotive horn; and

WHEREAS, The applicable federal law also authorizes the Secretary of Transportation to provide, in advance of any rulemaking by the Federal Railroad Administration, for certain exceptions to the requirement to sound the locomotive horn, including exceptions for categories of railroad grade crossings that feature supplementary safety measures that, in the judgment of the secretary, compensate for the absence of the warning provided by the locomotive horn; and

WHEREAS, Many communities are likely to improve the safety of railroad grade crossings for the purpose of establishing quiet zones, thereby preventing fatalities and injuries relating to those crossings while improving the quality of living conditions for those living near crossings; now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully

memorializes the Federal Railroad Administration to adopt, as soon as possible, regulations relating to the establishment of quiet zones at eligible railroad grade crossings in accordance with Section 20153 of Title 49 of the United States Code; and be it further

*Resolved*, That the Legislature respectfully memorializes the Congress of the United States to approve legislation that provides the necessary funding to the states for the implementation of supplemental safety measures for the purpose of establishing quiet zones in accordance with that federal law; and be it further

*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the Majority Leader of the Senate, each Senator and Representative from California in the Congress of the United States, the Secretary of Transportation, and the Federal Railroad Administrator.

